

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

GARDNER DENVER, INC.)
)
Plaintiff,)
)
v.)
)
ARCH INSURANCE COMPANY, <i>et al.</i>)
)
Defendants.)
)

**STIPULATED ORDER REGARDING THE HANDLING OF
DOCUMENTS IN THE CALIFORNIA LITIGATION**

WHEREAS, on April 6, 2021, this Court entered an Order that provides, in relevant part, that “the parties will file a stipulation and proposed order for the Court’s approval regarding the proper handling in the California litigation of: (i) the documents that the parties have discussed and previously agreed can be used in that litigation; and (ii) any disputed documents that the Court orders Defendant Arch Insurance Company [(“**Arch**”)] to turn over to opposing counsel” (Doc. No. 140); and

WHEREAS, the parties have agreed and/or understand that Intervenors Lions Gate Entertainment Corp., Starz Acquisition, LLC, and Starz Entertainment, LLC (collectively, “**Intervenors**”) may use certain documents produced in this action and all transcripts of depositions taken in this action in the separate litigation styled *Starz Acquisition, LLC v. Allied World Assurance Co.*, No. 18STCV04283 (Cal. Super. Ct. Los Angeles Cty.), consolidated with *XL Specialty Insurance Company v. Starz Entertainment, LLC*, No. 19STCV44848 (Cal. Super. Ct. Los Angeles Cty.) (the “**California Litigation**”); and

WHEREAS, on June 28, 2021, this Court ruled that an additional 34 documents produced by Arch in this action may be used by Intervenors in the California Litigation (Doc. No. 144); and

WHEREAS, Plaintiff Gardner Denver, Inc. (“**GDI**”) agrees that any producing party may release, and Intervenors may use, any GDI information appearing in any of the documents to be used in the California Litigation; and

WHEREAS, the parties have conferred and agreed upon the following procedures to govern the handling and use in the California Litigation of any documents produced or transcripts of depositions taken in this action;

IT IS HEREBY STIPULATED AND AGREED between counsel for the undersigned parties, subject to the approval of this Court, that Intervenors shall adhere to the following procedures in handling and using any documents produced or transcripts of depositions taken in this action in the California Litigation:

1. Intervenors shall designate any documents produced or transcripts of depositions taken in this action “Highly Confidential” under the terms of the “Second Amended Stipulation and Protective Order-Confidential and Highly Confidential Designations” that was entered by the Court in the California Litigation and is attached hereto as Exhibit A.

2. If any party in the California Litigation objects to such designation with respect to any documents initially produced or transcripts of depositions taken in this action, Haynes and Boone, LLP, as counsel for Intervenors, shall advise counsel for the producing party, in writing, of such objections, the specific documents to which each objection pertains, and the specific reasons and support for such objections, within five (5) days of receipt of such objections.

Counsel shall confer as to how any designation dispute should proceed and may seek this Court’s

assistance, as appropriate, in addition to any assistance sought from the court presiding over the California Litigation.

3. Any documents or deposition transcripts from this action that are produced in the California Litigation will be used solely in the California Litigation.

GARDNER DENVER, INC. and
INTERVENORS

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APPROVED AND SO ORDERED
THIS 21 DAY OF July, 2021:

/s/Joel H. Slomsky, J.
Joel H. Slomsky, J.

CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of July 2021, I caused a true and correct copy of the foregoing Stipulated Order Regarding the Handling of Documents in the California Litigation to be served electronically on all counsel of record via the Court's ECF filing system.

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